

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number: 188720111



In re Application of Nicolas John Dougill et al.

Application Number 10/037,981

Filed November 9, 2001

For Method Of And Apparatus For Removing Material

Group Art Unit 3723

Examiner R.A. Rose

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$ 110.00
- ☐ Two months (37 CFR 1.17(a)(2)) \$ _____
- ☐ Three months (37 CFR 1.17(a)(3)) \$ _____
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-2442. I have enclosed a duplicate copy of this sheet.

RECEIVED

NOV 17 2003

TECHNOLOGY CENTER R3700

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

November 3, 2003

Date

Signature

716-848-1367

Telephone Number

Martin G. Linihan

Typed or printed name

NOTE: Signature of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date November 3, 2003

Martin G. Linihan

(Type or print name of person mailing paper)

Martin G. Linihan

(Signature of person mailing paper)

FEE TRANSMITTAL

for FY 2004

Effective 10/1/2003. Patent Fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$110.00)

Application Number

10/037,981

Filing Date

November 9, 2001

First Named Inventor

Nicolas John Dougill et al.

Examiner Name

R.A. Rose

Group/Art Unit

3723

Attorney Docket Number

18872.0111

NOV 17 2003

TECHNOLOGY CENTER R3700

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below

☒ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$ Code (\$ Code (\$ Code (\$

Fee Description

Fee Paid

1001 770 2001 385 Utility filing fee \$

1002 340 2002 170 Design filing fee \$

1003 530 2003 265 Plant filing fee \$

1004 770 2004 385 Reissue filing fee \$

1005 160 2005 80 Provisional filing fee \$

SUBTOTAL (1)

\$0

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Fee from

Claims below

Total Claims / / -20** = / / x / / = \$

Independent Claims / / - 3** = / / x / / = \$

Multiple dependent / / x / / = \$

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$ Code (\$ Code (\$ Code (\$

Fee Description

1202 18 2202 9 Claims in excess of 20 \$

1201 86 2201 43 Independent claims in excess of 3 \$

1203 290 2203 145 Multiple dependent claim if not paid \$

1204 86 2204 43 **Reissue independent claims over original patent \$

1205 18 2205 9 **Reissue claims in excess of 20 and over original patent \$

SUBTOTAL (2)

\$0

SUBMITTED BY:

Martin G. Linihan

Reg. No. 24,928

SIGNATURE

DATE: November 3, 2003

Telephone: (716) 848-1367

3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Description

Fee Paid

1051

130

2051

65

Surcharge - late filing fee or oath

\$

1052

50

2052

25

Surcharge - late provisional filing fee or cover sheet

\$

1053

130

1053

130

Non-English specification

\$

1812

2,520

1812

2,520

For filing a request for ex parte reexamination

\$

1804

920*

1804

920*

Requesting Publication of SIR prior to Examiner Action

\$

1805

1,840*

1805

1,840*

Requesting Publication of SIR after Examiner Action

\$

1251

110

2251

55

Extension for reply within first month

\$110

1252

420

2252

210

Extension for reply within second month

\$

1253

950

2253

475

Extension for reply within third month

\$

1254

1,480

2254

740

Extension for reply within fourth month

\$

1255

2,010

2255

1,005

Extension for reply within fifth month

\$

1401

330

2401

165

Notice of Appeal

\$

1402

330

2402

165

Filing a brief in support of an appeal

\$

1403

290

2403

145

Request for oral hearing

\$

1451

1,510

1451

1,510

Petition to institute a public use proceeding

\$

1452

110

2452

55

Petition to revive - unavoidable

\$

1453

1,330

2453

665

Petition to revive - unintentional

\$

1501

1,330

2501

665

10 advance copies

\$

1502

480

2502

240

Utility issue fee (or reissue)

\$

1503

640

2503

320

Design issue fee

\$

1460

130

1460

130

Plant issue fee

\$

1807

50

1807

50

Petitions to the Commissioner

\$

1806

180

1806

180

Processing fee under 37 CFR 1.17(g)

\$

8021

40

8021

40

Submission of Information Disclosure Statement

\$

1809

770

2809

385

Recording each patent assignment per property (times number of properties)

\$

1810

770

2810

385

Filing a submission after final rejection(37 CFR 1.129(a))

\$

1801

770

2801

385

For each add'l invention to be examined(37 CFR 1.129(b))

\$

1802

900

1802

900

Request For Continued Examination (RCE)

\$

1802

900

1802

900

Request for Expedited Examination of a design application

\$

Other fee (specify)

\$

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$110

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 3, 2003

Martin G. Linihan

Name

Signature

Date of Signature

867297